

SESSION OF 2010

SUPPLEMENTAL NOTE ON SENATE BILL NO. 169

As Amended by Senate Committee on
Federal and State Affairs

Brief*

SB 169 would amend the Kansas Act Against Discrimination to add provisions prohibiting discrimination on the basis of "sexual orientation" or "gender identity" with regard to employment, housing, and public accommodations.

Current law prohibits the discrimination based upon reasons of race, religion, color, sex, disability, national origin, or ancestry.

In the bill, "sexual orientation" would mean male or female heterosexuality, homosexuality, or bisexuality by inclination, practice, or expression. "Gender identity" would mean having or expressing a self-image or identity not traditionally associated with one's gender.

The bill would allow employers to adhere to a reasonable dress or grooming standard at work, subject to the provisions of federal, state, or local laws.

Background

SB 169 was introduced in the 2009 Legislative Session, where it was passed as recommended by the Senate Federal and State Affairs Committee, and then referred back to the Committee by the Senate Committee of the Whole. The Senate Federal and State Affairs Committee made technical amendments and passed the bill out of Committee without hearing additional testimony.

Proponents of the 2009 bill included representatives of Kansas Equality Coalition and several citizens appearing on their own behalf.

Opponents of the bill included Representative Jan Pauls and a representative from Concerned Women for America of Kansas.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Neutral testimony was provided by the Executive Director of the Kansas Human Rights Commission.

According to the 2009 fiscal note, the Kansas Human Rights Commission estimates that SB 169 would generate 50 complaints per year, or a five percent increase over FY 2008, and 320 inquiries. Special investigators currently have annual quotas of 36-72 completed complaints, based on various criteria. The agency would not be able to absorb the new complaints within current funding or staffing levels. The agency estimates the State General Fund appropriations of \$110,467 would be needed.

The Kansas Human Rights Commission updated the fiscal note for FY 2011 and FY 2012. The estimated costs would be:

	<u>FY 2011</u>	<u>FY2012</u>
Special Investigator I and Sr. Admin. Assist.	\$ 88,823	\$ 90,881
Operating	\$ 9,871	\$ 8,877
Start-up	\$ 15,160	
Total	<u>\$ 113,854</u>	<u>\$ 99,758</u>